CONTRACT SUMMARY

CITY OF FORT LAUDERDALE
PROCUREMENT SERVICES DEPARTMENT

Period Covered:	Contract No.:	Master Blanket:
4/26/10-4/25/12	1002-004	N/A

Awarded Vendor:

Agon Sport, LLC
3434 Golf Club Lane
Nashville, TN 37215

Delivery: 31 Days
Payment Terms: Net 30

Attn: Rafael Escalas
615-866-1314
Fax 866-294-7029
Email: rafa@agonswim.com

Insurance Coverage Required: Yes _ No X
Authorized for Purchases: Under $25,000 X Over _
Extension Options: Yes X No _ Years: 2, 1 yr extensions

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OCEAN RESCUE LIFEGUARD MALE SWIMSUITS

Male Swimsuits with City logo	$ 29.00 / each

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Department Contract Co-Ordinator: Robert Mack, Fire-Rescue, (954) 828-6805

Procurement Specialist: James Hemphill, CPPB

THIS AGREEMENT, made and entered into this 26th day of April, 2010, is by and between the City of Fort Lauderdale, a Florida municipality, ("City"), whose address is 100 North Andrews Avenue, Fort Lauderdale, FL 33301-1016, and Agon Sport LLC, a Tennessee Limited Liability Company ("Contractor"), whose address and phone are 3434 Golf Club Lane, Nashville, TN 37215, Phone 615-866-1314, Fax: 866-294-7029.

WHEREAS, the City issued Invitation to Bid Number 1002-004 ("ITB"), and the Contractor submitted a bid in response to the ITB; and

WHEREAS, on April 26, 2010, the Procurement Services Director of the City of Fort Lauderdale approved an agreement with Contractor for the goods or services described in the ITB

NOW, THEREFORE, for and in consideration of the mutual promises and covenants set forth herein and other good and valuable consideration, the City and the Contractor covenant and agree as follows:

1. The Contractor agrees to provide to the City Ocean Rescue Lifeguard Male Swimsuits in accordance with and in strict compliance with the specifications, terms, conditions, and requirements set forth in the ITB and any and all addenda thereto beginning April 26, 2010 and ending April 25, 2012. This contract may be extended for up to two (2) additional consecutive one (1) year terms upon agreement by both parties and approval by the City Commission providing all the terms, conditions and specifications remain the same.

2. This contract form G-110 Rev. 01/10, the ITB, any and all addenda to the ITB, and the Contractor's proposal in response to the ITB are integral parts of this Contract, and are incorporated herein.

3. In the event of conflict between or among the contract documents, the order of priority shall be as follows:

First, this contract form, G-110 Rev. 01/10;
Second, any and all addenda to the City's ITB in reverse chronological order;
Third, the ITB;
Fourth, the Contractor's response to any addendum requiring a response;
Fifth, the Contractor's response to the ITB.

4. The Company warrants that the goods and services supplied to the City pursuant to this Contract shall at all times fully conform to the specifications set forth in the ITB and be of the highest quality. In the event the City, in the City's sole discretion, determines that any product or service supplied pursuant to this Contract is defective or does not conform to the specifications set forth in the ITB the City reserves the right unilaterally to cancel an order or cancel this Contract upon written notice to the Contractor, and reduce commensurately any amount of money due the Contractor.

5. The City may cancel this Contract upon written notice to the Contractor in the event the Contractor fails to furnish the goods or perform the services as described in the ITB within 30 days following written notice to the Contractor.

6. The Contractor shall not present any invoice to the City that includes sales tax (85-8012514506C-7) or federal excise tax (59-6000319).

7. Contractor shall direct all invoices in duplicate for payment to Finance Department, City of Fort Lauderdale, 100 N. Andrews Avenue, 6th Floor, Fort Lauderdale, FL 33301. Any applicable discount MUST appear on the invoice.

IN WITNESS WHEREOF, the City and the Contractor execute this Contract as follows:

CITY OF FORT LAUDERDALE

By: _____
Director of Procurement Services

ATTEST

_____
Print Name

Title: _____
(Member for L.L.C.)

CONTRACTOR

By: _____

Print Name: Jennifer Escalas

Title: Member LLC
(Managing Member of Limited Liability Company Authorization)

STATE OF Tennessee:
COUNTY OF Davidson:

The foregoing instrument was acknowledged before me this 13th day of May, 2010, by Jennifer Escalas as (title): Member LLC for Agon Sport LLC, a Tennessee Limited Liability Company.

BARBARA HASELTON NOTARY PUBLIC TENNESSEE DAVIDSON COUNTY, TN

(SEAL)

My Commission Expires March 4, 2013

Barbara Haselton
Notary Public, State of Tennessee
(Signature of Notary Public)

BARBARA HASELTON
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known ✓ OR Produced ID ____ Type of ID Produced _____

Agon Sport LLc

Bid Contact **Rafael Escalas**
info@agonswim.com
Ph 615-866-1314
Fax 866-294-7029

Address **3434 Golf Club Ln**
Nashville, TN 37215

Item #	Line Item	Notes	Unit Price	Qty/Unit	Total Price	Attch.	Docs
1002-004-1-01	Ocean Rescue Lifeguard Male Swimsuits	**Supplier Product Code:** the price assumes that the swimsuit will be dyed with 3 colors, navy blue, red and white, that means that the agency front logo and the back logo will also be dyed with red, navy blue and white. Adding an extra color will increase the price by $1	**First Offer - $29.00**	125 / each	**$3,625.00**		**Y**
			Supplier Total		**$3,625.00**		

CITY OF FORT LAUDERDALE
SPECIFICATIONS PACKAGE

1002-004

Ocean Rescue Lifeguard Male Swimsuits

CITY OF FORT LAUDERDALE

Steven R Vamvakis

954-828-6080

NON-COLLUSION STATEMENT:

By signing this offer, the vendor/contractor certifies that this offer is made independently and *free* from collusion. Vendor shall disclose below any City of Fort Lauderdale, FL officer or employee, or any relative of any such officer or employee who is an officer or director of, or has a material interest in, the vendor's business, who is in a position to influence this procurement.

Any City of Fort Lauderdale, FL officer or employee who has any input into the writing of specifications or requirements, solicitation of offers, decision to award, evaluation of offers, or any other activity pertinent to this procurement is presumed, for purposes hereof, to be in a position to influence this procurement.

For purposes hereof, a person has a material interest if they directly or indirectly own more than 5 percent of the total assets or capital stock of any business entity, or if they otherwise stand to personally gain if the contract is awarded to this vendor.

In accordance with City of Fort Lauderdale, FL Policy and Standards Manual, 6.10.8.3,

3.3. City employees may not contract with the City through any corporation or business entity in which they or their immediate family members hold a controlling financial interest (e.g. ownership of five (5) percent or more).

3.4. Immediate family members (spouse, parents and children) are also prohibited from contracting with the City subject to the same general rules.

Failure of a vendor to disclose any relationship described herein shall be reason for debarment in accordance with the provisions of the City Procurement Code.

NAME	RELATIONSHIPS
-	

In the event the vendor does not indicate any names, the City shall interpret this to mean that the vendor has indicated that no such relationships exist.

BID/PROPOSAL SIGNATURE PAGE

How to submit bids/proposals: It is preferred that bids/proposals be submitted electronically at www.bidsync.com, unless otherwise stated in the bid packet. If mailing a hard copy, it will be the sole responsibility of the Bidder to ensure that the bid reaches the City of Fort Lauderdale, City Hall, Procurement Department, Suite 619, 100 N. Andrews Avenue, Fort Lauderdale, FL 33301, prior to the bid opening date and time listed. Bids/proposals submitted by fax or email will NOT be accepted.

The below signed hereby agrees to furnish the following article(s) or services at the price(s) and terms stated subject to all instructions, conditions, specifications addenda, legal advertisement, and conditions contained in the bid. I have read all attachments including the specifications and fully understand what is required. By submitting this signed proposal I will accept a contract if approved by the CITY and such acceptance covers all terms, conditions, and specifications of this bid/proposal.

Please Note: If responding to this solicitation through BidSync, the electronic version of the bid response will prevail, unless a paper version is clearly marked **by the bidder** in some manner to indicate that it will supplant the electronic version. All fields below **must** be completed. If the field does not apply to you, please note N/A in that field.

Submitted by: **Rafael Escalas**
(signature) (date)
Name (printed) **Rafael Escalas** Title: **Member LLC**
Company: (Legal Registration) **Agon Sport LLC**

CONTRACTOR, IF FOREIGN CORPORATION, MAY BE REQUIRED TO OBTAIN A CERTIFICATE OF AUTHORITY FROM THE DEPARTMENT OF STATE, IN ACCORDANCE WITH FLORIDA STATUTE §607.1501 (visit http://www.dos.state.fl.us/doc/).
Address: **3434 Golf Club Ln**
City **Nashville** State: **TN** Zip **37215**
Telephone No. **6158661314** FAX No. **8662947029**
E-MAIL: **rafa@agonswim.com**
Delivery: Calendar days after receipt of Purchase Order (section 1.02 of General Conditions): **31**
Payment Terms (section 1.03): **10 days** Total Bid Discount (section 1.04): **0**
Does your firm qualify for MBE or WBE status (section 1.08): MBE WBE
ADDENDUM ACKNOWLEDGEMENT - Proposer acknowledges that the following addenda have been received and are included in the proposal:

Addendum No. Date Issued

VARIANCES: State any variations to specifications, terms and conditions in the space provided below or reference in the space provided below all variances contained on other pages of bid, attachments or bid pages. No variations or exceptions by the Proposer will be deemed to be part of the bid submitted unless such variation or exception is listed and contained within the bid documents and referenced in the space provided below. If no statement is contained in the below space, it is hereby implied that your bid/proposal complies with the full scope of this solicitation. HAVE YOU STATED ANY VARIANCES OR EXCEPTIONS BELOW? BIDDER MUST CLICK THE EXCEPTION LINK IF ANY VARIATION OR EXCEPTION IS TAKEN TO THE SPECIFICATIONS, TERMS AND CONDITIONS. If this section does not apply to your bid, simply mark N/A in the section below.

Variances:
no variance

revised 2-10-10